UN

UNITED
NATIONS

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General Assembly

PROPERTY OF

Distr.
GENERAL

A/50/453
20 September 1995

ORIGINAL: ENGLISH

Fiftieth session
Item 98 (a) of the provisional
agenda*

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: IMPLEMENTATION OF DECISIONS AND RECOMMENDATIONS OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Proposals on the format, scope and organizational aspects of the 1997 special session of the General Assembly on the overall review and appraisal of Agenda 21

Report of the Secretary-General

SUMMARY

Under Agenda 21, the General Assembly was entrusted with the task of regularly reviewing implementation of the commitments it contained. In its resolution 47/190, the Assembly decided to convene, not later than in 1997, a special session for the purpose of an overall review and appraisal of Agenda 21, and requested the Secretary-General to prepare a report on the modalities for the organization and scope of such a special session. In accordance with that mandate, the present report contains proposals concerning the scope of the discussions, including priorities for future action and the institutional framework, and organizational matters. The report presents proposals on the documentation to be prepared for the session and also on the session's possible outcome. As to organizational matters, the report covers the possible timing of, level of representation at and participation of major groups in the special session. The report suggests guidelines for conducting the preparatory process for the session, including the role to be played by the Commission on Sustainable Development at its fifth session.

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I. INTRODUCTION

A. Mandate

1. In its resolution 47/190 of 22 December 1992, the General Assembly endorsed the Rio Declaration on Environment and Development, Agenda 21 and the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests, as adopted at the United Nations Conference on Environment and Development (UNCED) on 14 June 1992.

2. In the same resolution, the General Assembly, on the recommendation of the Conference, decided to convene, not later than 1997, a special session for the purpose of an overall review and appraisal of Agenda 21, and requested the Secretary-General to submit to it at its forty-ninth session a report containing recommendations for its consideration on the format, scope and organizational aspects of such a special session.

3. Taking into account the fact that a number of intergovernmental processes that had been recommended in Agenda 21 were currently taking place or had only recently been concluded, the Secretary-General proposed, in a note to the Assembly at its forty-ninth session (A/49/463), that it postpone discussion of the format, scope and organizational aspects of the special session of the General Assembly in 1997 to a later stage; the Assembly took note of the proposal in its decision 49/437.

B. Background: United Nations Conference on Environment and Development and related processes

4. UNCED represented a milestone in promoting international cooperation and action on sustainable development, and had a profound effect on the work of the organizations and bodies of the United Nations system. UNCED recommendations also identified specific actions to be undertaken in order to achieve sustainable development at national and regional levels.

5. Since UNCED, a large number of intergovernmental processes that had been recommended in Agenda 21 have completed their work. The United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa was opened for signatures in October 1994. The Global Conference on the Sustainable Development of Small Island Developing States (Bridgetown, Barbados, 25 April-6 May 1994), adopted the Declaration of Barbados and the Programme of Action for the Sustainable Development of Small Island Developing States. The United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks concluded its proceedings with the adoption of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. During this period, the Global Environment Facility, managed jointly by the World Bank, the United Nations Development Programme (UNDP) and the United Nations Environment Programme

(UNEP), has been replenished and restructured in order to enable universal participation in its decision-making. The United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, which were opened for signatures during UNCED, have both entered into force and have already held their first meetings of Conferences of the Parties. The outcomes of these processes, together with Agenda 21 and the Rio Declaration on Environment and Development, are commonly referred to as the Rio commitments and will have to be considered by the General Assembly at its special session if it is to obtain a full picture of the results achieved.

6. Furthermore, a number of major international conferences held since UNCED, such as the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, and the Fourth World Conference on Women, as well as the forthcoming Second United Nations Conference on Human Settlements (Habitat II), are also closely related to the implementation of Agenda 21, since they add substantially to the international understanding and consensus on various critical elements of sustainable development; the comprehensive review of Agenda 21 also needs to take into account the outcomes of these conferences as well.

7. At its substantive session of 1995, the Economic and Social Council decided on the modalities of a comprehensive and coordinated follow-up to major international conferences in the economic, social and related fields. In his report to the Council (E/1995/86), the Secretary-General presented his views on how this coordinated approach could be furthered, including the establishment of the relevant monitoring mechanisms, with a view to promoting programme harmonization and policy integration at both the country level and the inter-agency level, as well as at the intergovernmental level. The Council decided that, within the framework of its coordination segment, it would carry out a review each year of cross-cutting themes common to major international conferences, and/or would contribute to an overall review of the implementation of the programme of action of a United Nations conference.

8. The finalization of the discussions on an agenda for development, which will integrate many of the above-mentioned initiatives, will also have a major impact on the special session.

9. In considering preparations for such an overall review and post-1997 arrangements, special focus needs to be given to the outcome of the 1995 substantive session of the Economic and Social Council. In the first instance, the Council, in selecting themes for its coordination segment, may wish to choose a theme that would maximize its contribution to the 1997 review of Agenda 21. Such a theme could focus on one major cross-sectoral issue or on a sectoral issue for which greater attention is required.

10. To fulfil the mandate of UNCED and other conferences, institutional arrangements have been established. The intergovernmental follow-up of UNCED has remained within the framework of the United Nations system and is the special responsibility of the General Assembly, as the supreme policy-making forum providing overall guidance to Governments, the United Nations system and relevant treaty bodies. In addition to the General Assembly, the Economic and Social Council has been provided with the responsibility of providing system-

wide coordination, and of overseeing implementation of Agenda 21 and making recommendations in that regard.

II. SCOPE OF THE DISCUSSIONS

A. Priorities

11. The overall review of the implementation of Agenda 21 by the General Assembly at its special session will need to determine the critical areas of sustainability for the years to come. The concept of sustainable development encompasses economic, social, environmental and institutional dimensions. The identification of the critical areas of sustainability will have to be based on a comprehensive review of the progress achieved in the implementation of the Rio commitments at all levels, taking into account relevant conclusions of subsequent global conferences. The objective should be to maintain the political momentum and give a clear sense of direction for future actions to be taken by Governments, intergovernmental bodies and major groups aimed at reaching sustainable development. The Assembly will have to identify priorities at the special session, including priorities for the institutional follow-up to UNCED and the role of the United Nations system, in particular the Commission on Sustainable Development.

12. In identifying the critical constraints to the implementation of the Rio commitments at the local, country, regional and international levels and the means for Governments, international organizations and major groups to overcome them, the Assembly may wish to consider strengthening its substantive activities as well as adopting supportive measures necessary for the achievement of sustainable development goals, such as the provision of financial resources, transfer of environmentally sound technologies and creation of institutional mechanisms.

13. Further, in the light of paragraphs 7 to 9 above, the recommendations of the Assembly could include the identification of possible themes for future consideration by the Council or its subsidiary bodies, particularly the Commission on Sustainable Development, with a view to ensuring a harmonized and non-duplicative approach to the issues involved.

14. Public awareness and the promotion of sustainable development values through, inter alia, educational systems, remain major tasks necessary for the successful implementation of the Rio commitments. The Assembly may wish to explore further means of enhancing this process.

15. The Assembly may also wish to place a special emphasis on the issue of sustainable consumption and production patterns as an umbrella concept that facilitates the integration of environmental and economic questions. If the Assembly decides to do so, those provisions will have to be consequently reflected in the work programme of the Commission.

16. The Commission on Sustainable Development has approved a work programme on indicators on sustainable development; its implementation is under way. The Commission has encouraged Governments to develop or conduct studies on the

development of indicators of sustainable development in accordance with specific national conditions. Their elaboration will have a significant impact on the process of monitoring progress achieved since UNCED. The Commission provides the necessary platform for the preparation of such indicators; at the special session, the Assembly could provide the necessary stimulus for their broad application.

B. Institutional framework

17. On the recommendation of Agenda 21 and in order to ensure the effective follow-up of the Conference, as well as to enhance international cooperation, rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and examine the progress in the implementation of Agenda 21 at the national, regional and international levels, the Economic and Social Council established the Commission on Sustainable Development as a subsidiary body. Since its first session, the Commission has developed certain innovative characteristics:

(a) The Commission has managed to maintain a high political profile. The high-level segment of the Commission is attended by large numbers of ministers and high-level decision makers from all over the world. Attendance is not limited solely to ministers of environment; ministers for development, agriculture, forestry and finance also participate. The Assembly may wish to further encourage this type of participation as a means of fully integrating a whole spectrum of different aspects of sustainable development;

(b) The Commission has incorporated into its work, on an unprecedented scale, the representatives of major groups involved in the promotion of sustainable development. Major groups are consulted on a variety of issues in the course of the inter-sessional period, and the dialogue between them and member States during Commission sessions has also been steadily reinforced. The secretariat of the Commission collects and analyses information on major groups' involvement in Agenda 21 implementation;

(c) Commission activities are not limited to its annual sessions. The Commission provides a framework for a larger process of inter-sessional meetings, the outcomes of which it subsequently reviews and analyses. It has also established two ad hoc working groups that hold sessions prior to the meetings of the Commission in order to prepare its discussions on specific agenda items. Duration of those ad hoc working group meetings, as well as subjects to be discussed, are determined by the Commission at its consecutive sessions and remain flexible but harmonized with its programme of work. These year-round activities are coordinated by the Bureau of the Commission, which meets regularly in order to take the best advantage of the above-mentioned events while preparing for the main session of the Commission. Efforts have been made to make this process transparent and to make information on meetings and their outcomes widely available;

(d) Monitoring of the implementation of UNCED commitments by the Commission has involved the whole United Nations system. Various organizations and bodies have participated in the preparations for and the proceedings of the

Commission. Task managers from the organizations of the United Nations system have been nominated to ensure an effective and coordinated follow-up in the sectoral and cross-sectoral issues identified by Agenda 21. The coordination of those activities has been entrusted by the Administrative Committee on Coordination to the Inter-Agency Committee for Sustainable Development (IACSD);

(e) The Commission has also developed a capacity for monitoring at all levels the implementation of the Rio commitments. Its particularly innovative role is the monitoring of progress achieved and major obstacles encountered at the national level, through voluntary reporting by member States. The Commission has been able to analyse a number of the reports presented to date. The Commission also serves as a platform for the exchange of information on national policies and practices introduced as a result of UNCED;

(f) Interaction between intergovernmental bodies active in the area of sustainable development is increasing. For example, the Council of the Food and Agriculture Organization of the United Nations (FAO) considered the issues related to land management that were also on the agenda of the third session of the Commission; a ministerial meeting on forestry was convened by FAO prior to the Commission's third session; and the UNEP Governing Council, after the fourth session of the Commission, made a decision in which it emphasized the need for UNEP to continue to provide effective support to the work of the Commission, inter alia, through the provision of scientific, technical and policy information and advice on environment. Some other intergovernmental bodies also committed themselves to substantively contributing to the work of the Commission.

18. The General Assembly may wish to:

(a) Build further on the above-mentioned characteristics of the Commission, while deciding on the desirable focus of its future activities;

(b) Provide guidance concerning the priorities for the further work of the Commission, particularly as reflected in its multi-year thematic work programme;

(c) Consider ways and means of enhancing policy coherence and further strengthening coordination between the Commission and other appropriate intergovernmental bodies;

(d) Give further support to the system of task managers as an effective mechanism for meeting the demands related to the functioning of IACSD while implementing Agenda 21 in respective thematic areas.

19. In accordance with its resolution 47/191, at the special session the Assembly is also expected to review the organizational modalities for the Commission. The Assembly could thus reflect on aspects of the existing structure of the Commission, such as the organization of its high-level segment and general debate, the participation of major groups, side events and the functioning of its Bureau.

20. The review of the institutional framework established for the implementation of the Rio commitments should also examine innovations and

changes that have taken place since UNCED in the policies, programmes and structures of the organizations and bodies of the United Nations system, as well as in the activities of non-United Nations institutions.

21. The General Assembly is also expected to decide on the next review timetable for assessing further progress in achieving sustainable development goals in the period after the special session.

III. DOCUMENTATION

22. The General Assembly may wish to request the Secretary-General to prepare a comprehensive report on the overall assessment of the progress achieved since UNCED in the implementation of Agenda 21, the Rio Declaration on Environment and Development and related conference outcomes, as well as on recommendations for future actions and priorities, including those concerning institutional matters, in particular the role of the Commission on Sustainable Development.

23. Such a comprehensive report would draw upon concise reports that will be prepared for the fifth session of the Commission and would contain an assessment of progress achieved in specific sectoral and cross-sectoral areas, as well as recommendations for future action. The Commission would thus be able to undertake the review process and analyse progress achieved with a view to preparing for the special session. The above-mentioned concise reports will also serve as background documentation for the Assembly's deliberations; the modalities for their preparation will be a subject for discussion by IACSD.

24. On the basis of national reports received so far and expected for forthcoming sessions of the Commission, and in close cooperation with the Governments concerned, the Commission secretariat intends to prepare country profiles aimed at a concise presentation of progress made and constraints encountered in implementing Agenda 21. These country profiles will be presented to the Commission at its 1997 session to allow for the review of the progress achieved at the national level.

IV. OUTCOME OF THE SPECIAL SESSION

25. The General Assembly may wish to reflect on the possible outcome of the 1997 review exercise. One option would be to prepare a substantive document in the form of a political declaration assessing progress achieved and setting priorities for future action on how to best reach sustainable development goals. Such a declaration could build on the review of progress achieved in the implementation of the Rio commitments as well as the achievements of recently held major United Nations conferences and an agenda for development. It should also take into consideration the institutional aspects of future monitoring of Agenda 21 implementation by the appropriate United Nations bodies.

V. ORGANIZATIONAL ASPECTS OF THE SPECIAL SESSION

26. Eighteen special sessions of the General Assembly have been organized to discuss topics of special importance to the international community. The last (eighteenth) special session was held from 23 April to 1 May 1990 to discuss the theme "Economic cooperation, in particular the revitalization of the economic growth and development of the developing countries". Previous special sessions of the General Assembly did not establish any fixed pattern as far as duration or level of representation are concerned.

27. Drawing on experience from previous special sessions of the General Assembly, the organization of UNCED and other major conferences organized in recent years under the auspices of the United Nations, including the International Conference on Population and Development and the World Summit for Social Development, the Secretary-General has suggested that the session be held for a period of five working days, a time-frame that will accommodate the statements of the representatives of all Member States and will allow for interaction with United Nations agencies and the representatives of major groups.

28. If the need arises, the General Assembly could allocate some time for a preconsultation in the week(s) preceding the session.

29. Bearing in mind the provisions of its resolution 47/190, the Assembly may decide that the special session should be a self-standing event and that it should take place before its fifty-second session. Alternatively, at its current session, the Assembly may consider the possibility of building the review exercise into its fifty-second session, to be held in 1997.

30. Should the Assembly decide on the former alternative, having considered the calendar of conferences for 1997 and the fact that the preparations for the session are to be undertaken by the Commission on Sustainable Development at its fifth session, the proposed time-frame for the special session is the third or fourth week in June 1997, i.e., 16 to 20 June or 23 to 27 June, with the understanding that the fifth session of the Commission on Sustainable Development will be held either early in 1997 or back to back with the special session, so that the Commission can act as a preparatory committee for the special session.

31. Whatever the specific arrangements for the Assembly's review, it is essential to ensure that its outcome contributes to maintaining the political momentum and visibility of the sustainable development agenda as well as to the broader discussion currently under way of the reform of the United Nations in the economic, social and related fields and to discussions on the agenda for development and the coordinated follow-up of other major United Nations conferences.

VI. LEVEL OF REPRESENTATION

32. UNCED brought together an unprecedented number of heads of State and Government, delegates, representatives of non-governmental organizations, and the mass media, a sign of the tremendous importance given to the issues discussed at the Conference.

33. The General Assembly may envisage a level of representation at the special session that will maintain the high political momentum reached during UNCED, which was attended by 118 heads of State and Government.

VII. PARTICIPATION OF MAJOR GROUPS

34. Chapter 23 of Agenda 21 on strengthening the role of major groups defines very clearly the critical role of genuine involvement of all social groups in the effective implementation of the objectives, policies and mechanisms that were agreed by Governments in all programme areas of Agenda 21. UNCED itself brought together an unprecedented number of participants representing major groups, especially non-governmental organizations, which have also been involved in follow-up at both the national and international levels. The continuing concern remains the broadening of the spectrum of the representation of major groups, as well as transparency in the procedures of their selection for the various coordination and consultation mechanisms, in this case in relation to the preparations for and proceedings of the special session. Funding the participation of representatives of major groups in such processes remains by far the most acute problem.

35. It has also been widely recognized that, in preparing for UNCED and subsequently monitoring progress in the implementation of its commitments through the Commission on Sustainable Development, the international community has largely benefited from the intellectual input of major groups and from an interactive dialogue with them. However, the rules of procedure of the General Assembly do not allow the active participation of representatives of major groups in its deliberations. The General Assembly may wish to consider some options for the involvement of major groups during its special session. For example, the Assembly may wish to suspend its deliberations for the duration of one or two meetings in order to enter into an informal dialogue with the representatives of major groups, or to legislate that for the special session under consideration the rules for participation be amended to allow for participation along the lines of participation at UNCED.

36. A number of parallel events enabling the broadening of the scope of the dialogue by involving the representatives of the major groups could be considered. In addition, before or during the deliberations of the session, the organization of various forums of major groups could be also encouraged. The Assembly may wish to encourage major groups to participate in preparations for the session and review the implementation of Agenda 21 in the areas of their particular concern, assessing their role in that implementation.

37. It is therefore suggested that the special session integrate in its core debate, as well as accompanying proceedings, the widest possible representation

of major groups and sectors of civil society. The Assembly may consider encouraging Governments to include the representatives of major groups in their national preparatory processes, as well as in their delegations to the session.

VIII. PREPARATORY PROCESS

38. At the special session, the General Assembly must accomplish a considerable amount of work: it must review Agenda 21 and the realization of commitments included therein and define the future role of the Commission on Sustainable Development, providing guidance to its future programme of work. It is also expected that the Assembly will give new and reinforced political impetus to further work on achieving sustainable development at all levels. This task will require careful and time-consuming preparation, which should begin at the current session of the Assembly. The Assembly may wish to give more specific policy guidance on the work to be accomplished before the special session. Since Agenda 21 underlines that preparations for the special session should be conducted at a high level, the Commission on Sustainable Development, above all its ministerial segment, should also be involved in determining the methods of reviewing commitments and identifying priorities for the future.

39. The Commission on Sustainable Development, when adopting its multi-year thematic programme of work, decided to undertake at its fifth session in 1997 an overall review of the progress achieved with a view to preparing for the special session. The General Assembly may wish to clearly determine the role to be played by the Commission at its fifth session as well as the tasks to be accomplished at the special session itself. For example, on the basis of analyses made during its previous sessions, the Commission could undertake an in-depth evaluation of progress achieved and could identify major concerns and gaps in implementing sustainable development goals. On the other hand, at the special session, the Assembly could look more specifically at the priorities for the future and institutional follow-up. In order to reach agreement on the final document, the Assembly may wish to establish an ad hoc committee of the whole.

40. The Assembly may also wish to consider proposing the organization of meetings under the auspices of the regional commissions to assess progress made at the regional level, according to the provisions of Agenda 21. If the input from such meetings are to be integrated into the overall review, they will have to be organized as early as possible in 1996.